

REMARKS

Applicants appreciate the Examiner's courtesy in granting the Request for Suspension of Action.

Claims 20 and 21 have been amended to recite that the fine particles are not in the form of a layer. Support is found in Figs. 1, 2 and 4 which show that the fine protrusions are dotted and not in the form of a layer. Conversely, Comparative Example 2 at pages 30-31 of the present specification shows a case where a chemical polymerization layer was formed on the dielectric layer as an undesirable example.

Review and reconsideration on the merits are requested.

Claims 21, 5-9, 14-19, 23 and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,943,892 to Tsuchiya et al.

Claims 10, 11, 12, 13 and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya et al in view of U.S. Patent 4,724,053 to Jasne. Jasne was cited as disclosing an organic semiconductor within the scope of claims 10-13.

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya et al in view of U.S. Patent No. 3,299,325 to Wagener et al. Wagener et al was cited as disclosing electrolytically forming fine protrusions on the dielectric layer, citing column 1, lines 38-45.

Claims 20, 5-9, 14-19, 22 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya et al. Although acknowledging that Tsuchiya et al fails to teach a feather-shaped protrusion and protrusions having a width of about 0.1 to about 120 nm, the

Examiner considered that it would have been obvious to form such feather-shaped protrusions in the absence of evidence to the effect that shape is significant.

Claims 10, 11, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being obvious over Tsuchiya et al in view of Jasne.

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsuchiya et al in view of Wagener et al.

Applicants incorporate herein by reference their response to the outstanding prior art rejections including claim amendments as set forth in the Amendment under 37 C.F.R. § 1.114(c) filed June 19, 2008. Applicants also incorporate herein by reference their response to the objection to the specification, including submission of corrected Fig. 2, also as set forth in the Amendment under 37 C.F.R. § 1.114(c) filed June 19, 2008.

Applicants further amend claims 21 and 22 herein, and further comment on patentability of the amended claims as follows.

Though Tsuchiya (U.S. Patent No. 4,943,892) describes a “form of continuous layer or as island or spots” as a manganese layer, the manganese dioxide is basically in the form of “a layer.” That is, as discussed in REMARKS at page 9 of Amendment filed May 19, 2008, in Tsuchiya, an electrode 8 is set in contact with the manganese dioxide film layer (in the form of islands or spots).

Therefore, in Tsuchiya, the size of the island or spot of the manganese dioxide film layer is considered to be large enough so that contact with the electrode can be confirmed.

Accordingly, the manganese layer as “islands or spots” has a structure that is completely different from the nanometer-size fine protrusions of the present invention.

Also, although Unno (U.S. Patent No. 7,202,495) discloses nanometer-size island-shaped protrusions 109, the protrusions 109 are located on the surface of the island-shaped protrusion layer 104 and continuously connected by the layer 104 at the base, that is, *in the form of a layer*.

The polymerized film formed in the layer of Tsuchiya and Unno is considered to be disadvantageous in view of low capacitance of the resulting capacitor produced therefrom as shown in Comparative Example 2 of the present specification.

In view of the above amendment and remarks, it is respectfully submitted that the present claims are patentable over the cited prior art, and withdrawal of the foregoing rejections is respectfully requested. Also, it is respectfully submitted that the objection to the specification has been addressed by submission of corrected Fig. 2.

Withdrawal of all rejections and allowance of claims 5-21 and 23-25 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/573,495

Attorney Docket No.: Q77806

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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